APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,689	12/09/1999	MICHAEL S. PASIEKA	PHA23871	6774

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EXAMINER
PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *12 July 2004*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-20* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to request for reconsideration filed on July 12, 2004.

Original application contained Claims 1 – 17. Applicant has not amended any claims.

No Claims were cancelled. New Claims 18, 19 and 20 are added. Therefore, presently

pending claims are 1 – 20.

Response to Arguments

2.   Applicant's arguments filed on July 09, 2004, have been fully considered but they

are not persuasive for the following reasons:

Regarding independent claims 1, 16 and 17, applicant argues that the cited prior art

(CPA) [Muftic U.S. Patent 5,745,574] does not teach or disclose, "a contact list

associated with a given entity or device" and "using a contact list in conjunction with a

revocation list to determine which of at least a subset of one or more other entities are

authorized to communicate with the given entity or device". These arguments are not

found persuasive. Applicant agrees that Muftic teaches that a method and/or system

provides security in a computer system and the infrastructure includes a hierarchical

certification system and a repository that stores information such as public key

certificates and revocation lists. Muftic clearly teaches the infrastructure comprises

storage areas for storing data structures such as electronic addresses, electronic

identities and/or public key certificates, certificate revocation lists and/or entity

identification information (Column 6 lines 33 – 64 and Column 10 line 19 – Column 12 line 64). Muftic also discloses "using a contact list associated with a given entity or device" (column 5 lines 51 – 61) and "using contact list in conjunction with a revocation list to determine which of at least a subset of one or more other entities are authorized to communicate with the given entity or device" (Column 6 lines 29 – 38 and Column 7 lines 4 – 20).

As for Claim 5, applicant argues that the CPA does not teach that the contact list includes a "plurality of entities where each entry includes an identifier of a particular one of the other entities and a corresponding revocation flag indicating whether authorization of the particular entity has been revoked". This argument is not found persuasive. Muftic clearly teaches that the system stores information such as public key certificates, certificate revocation lists and registration information and Muftic also discloses the method generates a data structure containing the data items required for registration (self-signing) and also this information is stored either at the requesting computer process or at a common certificate repository (Column 5 lines 51 – 64 and Column 6 lines 29 – 38).

As for new added Claim 18, Muftic discloses an apparatus of Claim 16, for controlling access to information wherein, the contact list comprises a plurality of entities each entry including at least an identifier of a particular one of the other entities and a

corresponding revocation flag indicating whether authorization of the particular entity

has been revoked (Column 14 lines 35 – 53).

As for new added Claim 19, Muftic discloses an article of manufacture of Claim

17, wherein the contact list comprises a plurality of entries, each entry including at least

an identifier of a particular one of the other entities and a corresponding revocation flag

indicating whether authorization of the particular entity has been revoked (Column 14

lines 35 – 53).

As for new added Claim 20, Muftic discloses an article of manufacture of Claim

19, wherein the programs when executed implement the further step of updating the

contact list after a modification of the revocation list (Column 14 line 64 – Column 15

line 25).

Applicant clearly has failed to explicitly identify specific claim limitations, which

would define a patentable distinction over prior arts. Therefore, the examiner

respectfully asserts that CPA does teach or suggest the subject matter broadly recited

in independent claims 1, 16 and 17. Dependent claims 2 – 15, 18 – 20 are also rejected

at least by virtue of their dependency on independent claims and by other reason set

forth in this office action. Accordingly, rejections for claims 1 – 20 are respectfully

maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1 – 10 and 12 – 20 are rejected under 35 U.S.C. 102(b) as being

anticipated by Muftic (US Patent 5,745,574).

Regarding Claim 1, Muftic teaches and describes a method for

controlling access to the information, the method comprising the steps of:

maintaining, for a given entity controlling access to the information, a contact list

comprising information identifying one or more other entities which have attempted to

communicate with the given entity (Column 5 lines 51 – 61); and

utilizing the contact list in conjunction with a revocation list associated with the

given entity to determine which of at least a subset of the one or more other entities are

authorized to communicate with the given entity (Column 6 lines 29 – 38 and Column 7

lines 4 – 20).

Regarding Claim 16, Muftic teaches and describes an apparatus

for controlling access to the information, the apparatus comprising:

a processor-based device for controlling access to information, wherein the

processor-based device is operative to maintain a contact list comprising information

identifying one or more other entities which have attempted to communicate with the

processor-based device (Column 5 lines 51 – 61), and

to utilize the contact list in conjunction with a revocation list associated with the

given entity to determine which of at least a subset of the one or more other entities are

authorized to communicate with the processor-based device (Column 6 lines 29 – 38

and Column 7 lines 4 – 20).

Regarding Claim 17, Muftic teaches and describes an article of

manufacture comprising a machine-readable storage medium containing one or more

software programs for use in controlling access to the information, wherein the

programs when executed implement the steps of:

maintaining, for a given entity a controlling access to information, a contact list

comprising information identifying one or more other entities which have attempted to

communicate with the given entity (Column 5 lines 51 – 61); and

utilizing the contact list in conjunction with a revocation list associated with the

given entity to determine which of at least a subset of the one or more other entities are

authorized to communicate with the given entity (Column 6 lines 29 – 38 and Column 7

lines 4 – 20).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Muftic

teaches and describes a method for controlling access to information, wherein: the

given entity and at least a subset of the one or more other entities each comprise a

consumer electronics device (Column 5 lines 51 – 54 and Column 9 lines 64 – 67).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Muftic

teaches and describes a method for controlling access to information, wherein: the

maintaining and utilizing steps are implemented in an access control system associated

with the given entity (Column 5 lines 51 – 61, Column 6 lines 1 – 21 and 47 – 64).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Muftic

teaches and describes a method for controlling access to information, wherein: the

contact list comprises a local revocation list stored in the access control system

(Column 5 lines 51 – 64 and Column 6 lines 29 – 38).

Claim 13 is rejected as applied above in rejecting claim 1. Furthermore, Muftic

teaches and describes a method for controlling access to information including the step

of periodically generating a digital signature for at least a portion of the contact list

(Column 6 lines 29 – 65).

Claim 15 is rejected as applied above in rejecting claim 1. Furthermore, Muftic

teaches and describes a method for controlling access to information, wherein each of

at least a subset of the other entities stores a contact list having entries corresponding

to entities which have attempted to communicate with those other entities (Column 5

lines 55 – 61 and Column 7 lines 43 – 53).

Claim 18 is rejected as applied above in rejecting claim 16. Furthermore, Muftic

teaches and describes an apparatus for controlling access to information, wherein the

contact list comprises a plurality of entities each entry including at least an identifier of a

particular one of the other entities and a corresponding revocation flag indicating

whether authorization of the particular entity has been revoked (Column 14 lines 35 –

53).

Claim 19 is rejected as applied above in rejecting claim 17. Furthermore, Muftic

teaches and describes an article of manufacture, wherein the contact list comprises a

plurality of entries, each entry including at least an identifier of a particular one of the

other entities and a corresponding revocation flag indicating whether authorization of

the particular entity has been revoked (Column 14 lines 35 – 53).

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Muftic

teaches and describes a method for controlling access to information, wherein: the

revocation list comprises a local revocation list stored in the access control system

(Column 5 lines 51 – 54, Fig.2 #240 and Column 10 lines 19 – 25).

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Muftic teaches and describes a method for controlling access to information including the step of updating the contact list after a modification of the revocation list (Column16 lines 34 – 67 to Column 17 line 22).

Claim 8 is rejected as applied above in rejecting claim 5. Furthermore, Muftic teaches and describes a method for controlling access to information including the step of updating the contact list if a new entity not already included in the contact list attempts to communicate with the given entity (Column 7 lines 21 – 52).

Claim 12 is rejected as applied above in rejecting claim 5. Furthermore, Muftic teaches and describes a method for controlling access to information, wherein: the contact list is configured such that the revocation flag of a particular entry may not be cleared once that flag has been set been set as long as that entry remains in the contact list (Column 16 lines 1 – 33).

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Muftic teaches and describes an article of manufacture, wherein the programs when executed implement the further step of updating the contact list after a modification of the revocation list (Column 14 line 64 – Column 15 line 25).

Claim 14 is rejected as applied above in rejecting claim 13. Furthermore, Muftic teaches and describes a method for controlling access to information including the step of updating the digital signature each time the contact list is updated (Column 6 lines 47 – 60 and Column 7 lines 21 – 27).

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Muftic teaches and describes a method for controlling access to information, wherein: the step of updating the contact list after a modification of the revocation list further includes the steps of:

identifying all of the entities in the contact list that do not have their corresponding revocation flag set (Column 6 lines 65 - Column 7 line 20); and

determining, for each of the entities identified as being on the contact list but not having a set revocation flag, whether that entity is on the modified local revocation list, setting its revocation flag in the contact list (Column 16 lines 7 – 20).

Claim 9 is rejected as applied above in rejecting claim 8. Furthermore, Muftic teaches and describes a method for controlling access to information, wherein: the step of updating the contact list if a new entity not already included in the contact list if a new entity not already included in the contact list attempts to communicate with the given entity further includes the steps of:

storing in the contact list an entity identifier for the new entity if there is sufficient space available in the contact list (Column 16 lines 41 – 46); and

determining if the new entity is on the revocation list; and if it is, setting the corresponding revocation flag the new entity in the contact list (Column 16 lines 41 – 67 up to Column 17 line 22).

Claim 10 is rejected as applied above in rejecting claim 9. Furthermore, Muftic teaches and describes a method for controlling access to information including the step of selecting a particular entry of the contact list for removal from the contact list if there is not sufficient space available in the contact list for the new entity (Column 7 lines 53 – 64).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muftic (U.S. Patent 5,745,574 hereinafter "Muftic") in view of De Jesus et al. (U.S. Patent 5,832,206 hereinafter "De Jesus").

Claim 11 is rejected as applied above in rejecting claim 10. Furthermore, Muftic

teaches and describes a method for controlling access to information including the step

of selecting a particular entry of the contact list for removal. Muftic does not explicitly

describe the selecting step is implemented using a random or pseudo-random selection

process. However, De Jesus discloses a method to provide security for a keypad

processor of a transaction terminal wherein the selecting step is implemented using a

random selection process (De Jesus Column 8 lines 44 – 56 and Column 10 lines 47 –

56). Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Muftic and De Jesus, a method for

controlling access to information including the step of selecting a particular entry of the

contact list for removal as taught by Muftic and the selecting step to be implemented

using a random selection process as taught by De Jesus to insure that an electronic

eavesdropper will be unable to differentiate the actual selection algorithm. The

motivation would be to provide a normalized deletion rather than criteria based thereby

minimizing computation time.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Pramila Parthasarathy whose telephone number is 703-

305-8912. The examiner can normally be reached on 8:00a.m. To 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

Pramila Parthasarathy

November 13, 2004.

EMMANUEL L. MOISE
PRIMARY EXAMINER